



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

25

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/661,070	09/13/2000	Andrew T. Molitor	6880	7631

25763 7590 11/30/2001

DORSEY & WHITNEY LLP
50 SOUTH SIXTH STREET
MINNEAPOLIS, MN 55402-1498

EXAMINER

PHUNKULH, BOB A

ART UNIT PAPER NUMBER

2661

DATE MAILED: 11/30/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/661,070

Applicant(s)

MOLITOR, ANDREW T.

Examiner

Bob A. Phunkulh

Art Unit

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 September 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 9-20, 23-35, 38-44 is/are rejected.
- 7) ☒ Claim(s) 7,8,21,22,36 and 37 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

Claims 16-17, are objected to because of the following informalities:

Claims 16-17, please change "a request" in line 2 to --the request--. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

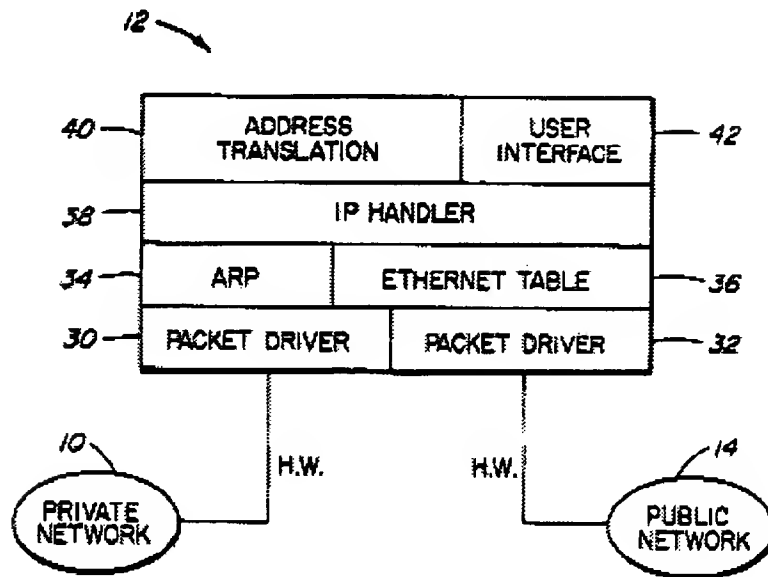
(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1-6, 9, 15-20, 25, 30-35, and 38 are rejected under 35 U.S.C. 102(e) as being anticipated by Wootton et al. (US 6128298), herein after Wootton.

Regarding claims 1, 4, 15, 18, 30, are 33, Wootton discloses an Internet Protocol Filter 12 which functions as a router between a private network 10 (*a first address realm*) and a public network 14 (*a second address realm*) comprising:
An address translation table (*an address translator*) for translating an address valid in the private network 10 into an address in the public network 14; an IP handler (*an address manager*) provides a route functionality of receiving and forwarding message and maintains the ARP table 34 and the Ethernet table 36; and a link (*a control channel*) in communication with the IP filter 12 for receiving requests for communication

Art Unit: 2661

with devices in the public network 14 from nodes 18 (see figs.2 or below, and col. 5 lines 1-37).

**FIG. 2**

Regarding claims 2-3, 16-17, and 31-32, packets routing from nodes in the private network to the IP filter 12 include destination information which includes a destination address and a destination port; and source information which includes a source address and a source port (see claim 1).

Regarding claims 5-6, 19-20, and 34-35, the public network is an Internet 16 which uses global internet address (see fig. 1).

Regarding claims 9, 23, 38, the plurality of nodes 18 each being identified by a unique IP address within the domain of the private network 10, and the public network and Internet 16 are representative of public domain data communication networks also

Art Unit: 2661

having a plurality of nodes 20 with corresponding IP addresses –thus the communication facilitated is peer-to-peer¹ communication.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10-14, 24-29, and 39-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wootton.

Regarding claims 10-14, 24-29, and 39-44, Wootton did not explicitly disclose that the IP filter includes a memory for storing translation rules and the rules are accessible by the address translator and the address manager.

The IP filter must have a computer program or software installed in the IP filter to function properly. Also, Wootton disclose IP filter keeps “log file” record its daily activity (see col. 8 lines 11-20).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to provides computer program (translation rules) and a memory for storing the program to cause the IP filter to function accordingly.

¹ Newton's Telecom Dictionary defined **peer-to-peer communications** as *communications between two*

Allowable Subject Matter

Claims 7-8, 21-22, 36-37 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 305-9051, (for formal communications intended for entry)

Or:

(703) 308-5403 (for informal or draft communications, please labels
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2021
Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Bob A. Phunkulh** whose telephone number is **(703) 308-8251**. The examiner can normally be reached on Monday-Friday from 8:00 A.M. to 4:00 P.M.

entities that operate within the same protocol layer of a system.

Art Unit: 2661

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor **Douglas W. Olms**, can be reach on **(703) 305-4703**. The fax phone number for this group is **(703) 872-9314**.

Bob A. Phunkulh

Bob A. Phunkulh

TC 2600

Art Unit 2661

November 16, 2001

David R. Vincent
11/16/01
DAVID R. VINCENT
PATENT EXAMINER